

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

WILLIAM THORPE, *et al.*,

Plaintiffs,

v.

VIRGINIA DEPARTMENT OF
CORRECTIONS, *et al.*,

Defendants.

CASE NO. 2:20-cv-00007-JPJ-PMS

ORDER

This matter is before the undersigned on the following motions, which were heard by telephone conference call on February 7, 2023:

1. Plaintiffs' Motion To Amend Scheduling Order, (Docket Item No. 249) ("Motion to Amend"); and
2. Defendants' Motion For Leave To Depose By Oral Examination Each Of Plaintiffs (Docket Item No. 232) ("Motion to Depose").

Based on the arguments and representations of counsel, it is **ORDERED** as follows:

1. The Motion to Amend is **GRANTED**, only insofar as the following deadlines are extended as set out below:

Event	Date
Fact Discovery Depositions Only	April 14, 2023
Plaintiffs' Expert Reports Due	May 19, 2023
Defendants' Expert Reports Due	June 19, 2023

Plaintiffs' Rebuttal Expert Reports Due	July 19, 2023
Close of Expert Discovery	August 4, 2023
Dispositive Motions and Motions to Exclude Expert Testimony Due	September 8, 2023
Response to Dispositive Motions and Motions to Exclude Expert Testimony Due	October 5, 2023
Reply to Response to Dispositive Motions and Motions to Exclude Expert Testimony Due	October 19, 2023

2. The deadline for service of written discovery requests closed on January 29, 2023, and is not extended by this Order;
3. The Motion to Depose is **GRANTED**, and counsel for the defendants shall be allowed to depose by oral examination the named plaintiffs, Vernon Brooks, Brian Cavitt, Derek Cornelison, Frederick Hammer, Dmitry Khavkin, Steven Riddick, Kevin Snodgrass, Gary Wall, Gerald McNabb, Peter Mukuria and William Thorpe, at a date and time to be coordinated with the facility where each plaintiff is incarcerated;
4. Counsel for the parties shall confer and, within seven days of the date of entry this Order, provide the court with a schedule of the dates, times, locations and methods of the named plaintiffs' discovery depositions;
5. Counsel for the plaintiffs shall, within 10 days of the date of entry of this Order, provide the court and counsel for the defendants with a proposed schedule of the date, time, location and method for preparation of each of the named plaintiffs for their discovery depositions; and

6. Defense counsel shall coordinate allowing plaintiffs' counsel reasonable access to their incarcerated clients to prepare for their discovery depositions, including allowing counsel up to seven hours to confer with each client prior to the client's deposition date; Defense counsel shall further coordinate allowing plaintiffs' counsel to possess all necessary legal documents and materials and/or equipment to properly prepare their clients for their deposition testimony.

IT IS SO ORDERED.

ENTERED: This 7th day of February, 2023.

/s/ *Pamela Meade Sargent*
UNITED STATES MAGISTRATE JUDGE